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DEPARTMENT FOR SCA/CEN (J. MUDGE), DRL/PHD (C. KUCHTA-HELBLING)

SENSITIVE

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E.O. 12958: N/A

TAGS: PHUM PGOV KZ

SUBJECT: KAZAKHSTAN: POLICE, ALGA SUPPORTERS CLASH AT SUPREME COURT HEARING

11. (SBU) Summary: On June 6, opposition Alga party supporters were denied access to a Supreme Court hearing on the Ministry of Justice's decision to deny that party's bid for official registration. Failing to gain entry to the hearing, Alga supporters began to set up a sound system on the steps of the building. Police met with resistance to their attempt to seize the sound system, and in response, beat and detained a number of Alga supporters, among them party head Asylbek Kozhakhmetov. End summary.

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Supreme Court Holds Hearing, Sides Prepare for Action  
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12. (SBU) On June 6 in Astana, the Supreme Court held what was billed as an open hearing on the opposition Alga party's lawsuit against the Ministry of Justice regarding its decision not to register the party. This lawsuit had previously been dismissed by lower-level courts.

13. (SBU) From the early morning, police cordoned off the central square where the Supreme Court is located, only permitting very limited access into the guarded area. A number of operators (some in police and prosecutor's uniforms, others in civilian clothing) were also placed throughout the area to videotape the morning's events. Additionally, according to an Alga press release, Astana police stopped three buses of Almaty-based Alga supporters from entering the city. Despite these measures, large numbers of Alga supporters came out in an attempt to gain access to the square, some of whom had brought with them a loudspeaker and sound system.

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Tension Boils Over as Access to Open Hearing Denied  
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14. (SBU) Roughly 15 people, including Alga leader Asylbek Kozhakhmetov, Communist party leader Serikbolsyn Abdildin, For a Just Kazakhstan activist Amirzhan Kosanov, and Deputy Chairperson of Ak Zhol Lyudmila Zhulanova, were able to move through the police barrier and reached the Supreme Court building. However, the group was denied entry to the hearing. Guards explained that an Alga party representative was already inside the courtroom, and that no more observers would be admitted. Kozhakhmetov took exception to this explanation and demanded entry. The remainder of the group also insisted that they be allowed to attend, reminding the guards that this was to be an open hearing. After some discussion, the guards agreed to check with the court staff.

15. (SBU) While Kozhakhmetov's party was waiting for its answer, Alga supporters managed to bring the sound system through the police barrier and began setting it up on the steps of the Supreme Court building. Two buses immediately appeared, from which riot police emptied out and formed a line at the bottom of the steps. As several police attempted to seize the sound system, Kozhakhmetov stepped forward to intercede, and in turn was beaten, handcuffed, and placed in one of the newly-arrived buses. In the ensuing confusion, more activists were detained. Reports differ greatly on the numbers involved, from 10 to several hundred. (Comment: Embassy staff finds the lower numbers more credible.) Additional buses of riot police were observed waiting nearby, should further manpower have become necessary.

16. (SBU) A representative of the procuracy came out of the Supreme Court building and read a statement on liability for participation in illegal rallies. According to the procurator, those people at the court entrance, who were still waiting for an explanation from court staff as to why they were not allowed into an open hearing, were participants of an illegal rally.

17. (SBU) According to the news service Interfax, Kozhakhmetov was later released and the court hearing was held about half an hour later than originally scheduled.

18. (SBU) Comment: Neither side appears entirely innocent in this

affair. While the government took active and heavy-handed measures to prevent the scene from turning into a political rally, Alga supporters clearly came out with the intention of making some noise (quite literally, given the sound system they brought along). End comment.

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